

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA)	8:10MJ179 (D. Nebr.)
)	CR09-40084 (D. S.D.)
Plaintiff,)	
)	
v.)	
)	
MAX R. McCLAIN,)	
)	Magistrate Judge Thalken
Defendant.)	

RULE 5 ORDER

An Indictment having been filed in the district court for the District of South Dakota, Southern Division, charging the above-named defendant with Failure to Pay Legal Child Support and the defendant having been arrested in the District of Nebraska, proceedings to commit defendant to another district were held in accordance with Fed.R.Cr.P.5. The defendant had an initial appearance here in accordance with Fed.R.Cr.P.5 and was informed of the provisions of Fed.R.Cr.P.20. Additionally, defendant

- (X) Waived an identity hearing and admitted that he was the person named in the aforementioned charging document.

Accordingly, it is ordered that the defendant is held to answer in the charging district.

- (X) Defendant has been released in accordance with the provisions of the Bail Reform Act of 1984, 18 U.S.C. § 3141 et.seq. The defendant is to appear before the district court of the prosecuting district at such times and places as may be ordered. All funds, if any, deposited on behalf of this defendant with the Clerk of Court pursuant to the Bail Reform Act, shall be transferred to the prosecuting district.

IT IS SO ORDERED.

DATED in Omaha, Nebraska this 6th day of October, 2010.

s/ Thomas D. Thalken
U.S. Magistrate Judge